

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SHAUNTEZ K. ROCKMORE,

Plaintiff,

vs.

VASQUEZ, et al.,

Defendants.

**1:21-cv-01339-GSA-PC**

**ORDER DENYING PLAINTIFF'S  
REQUEST FOR SUMMONSES  
(ECF No. 8.)**

**I. BACKGROUND**

Shauntez K. Rockmore ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. On September 30, 2021, Plaintiff filed a request for summonses to initiate service of process against the defendants. (ECF No. 8.)

**II. SCREENING AND SERVICE OF PROCESS**

The court is required by law to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity, such as the instant action brought pursuant to 42 U.S.C. § 1983. 28 U.S.C. § 1915A(a). The court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally "frivolous or malicious," that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1),(2).

1 With respect to service, the court will, *sua sponte*, initiate service of the Complaint only  
2 after the court has screened the Complaint and determined that it contains cognizable claims for  
3 relief against the named defendants.

4 Here, Plaintiff's Complaint awaits the court's screening and therefore it is not time for  
5 service in this case. Therefore, Plaintiff's request shall be denied.

6 **III. CONCLUSION**

7 Based on the foregoing, **IT IS HEREBY ORDERED** that Plaintiff's request for  
8 summonses, filed on September 30, 2021, is DENIED.

9  
10 IT IS SO ORDERED.

11 Dated: **October 1, 2021**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE